

Hearing Date and Time: March 6, 2024, 10:00 a.m.

Objection Deadline: February 28, 2024

Avery Samet
Jeffrey Chubak
Amini LLC
131 West 35th Street
12th Floor
New York, New York 10001
(212) 490-4700
asamet@aminillc.com
jchubak@aminillc.com
Special Litigation Counsel for the Debtor

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

LAWRENCE A. FIRST,

Debtor.

Chapter 11

Case No. 22-11020 (MG)

SUMMARY SHEET

**THIRD APPLICATION OF AMINI LLC, SPECIAL
LITIGATION COUNSEL FOR THE DEBTOR, FOR ALLOWANCE OF
INTERIM COMPENSATION AND REIMBURSEMENT OF EXPENSES
FOR THE PERIOD AUGUST 1, 2023-DECEMBER 31, 2023**

Applicant:	Amini LLC
Retention date:	September 22, 2022
Compensation period:	August 1, 2023-December 31, 2023
Compensation requested by application:	\$6,389
Expenses requested by application:	\$165.90
Total requested by application:	\$6,554.90

This is a: X interim application ___ final application

SUMMARY OF TIME BILLED

Name	Title	Admitted	Hours Billed	Hourly Rate	Total Fees
Avery Samet	Partner	2004	8.5	\$650	\$5,525
Jeffrey Chubak	Associate	2008	1.4	\$550	\$770
Ryan Bathras	Paralegal	N/A	.9	\$180	\$162
Sydney Calhoun	Paralegal	N/A	.6	\$160	\$96

Total attorney and paralegal hours billed: 11.4

ITEMIZATION OF EXPENSES

Expense Type	Amount
Discovery vendor (hosting archived data)	\$165.90

PRIOR FEE APPLICATIONS

Period Covered	Date Filed; ECF Doc. #	Fees Requested	Expenses Requested	Order Date; ECF Doc. #	Fees Allowed	Expenses Allowed
9/22/22- 2/28/23	4/4/23; ECF Doc. #56	\$240,823	\$14,111.17	5/5/23; ECF Doc. #59	\$228,781.85 ¹	\$14,111.17
3/1/23- 7/31/23	8/15/23; ECF Doc. #75	\$329,454.50	\$35,953.91	9/13/23; ECF Doc. #88	\$271,536.33 ²	\$35,953.91

¹ Full amount requested less 5% voluntary holdback, memorialized in order providing for interim allowance.

² Full amount requested less 15% voluntary holdback, memorialized in order providing for interim allowance.

Avery Samet
Jeffrey Chubak
Amini LLC
131 West 35th Street
12th Floor
New York, New York 10001
(212) 490-4700
asamet@aminillc.com
jchubak@aminillc.com
Special Litigation Counsel for the Debtor

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

LAWRENCE A. FIRST,

Debtor.

Chapter 11

Case No. 22-11020 (MG)

**THIRD APPLICATION OF AMINI LLC, SPECIAL
LITIGATION COUNSEL FOR THE DEBTOR, FOR ALLOWANCE OF
INTERIM COMPENSATION AND REIMBURSEMENT OF EXPENSES
FOR THE PERIOD AUGUST 1, 2023-DECEMBER 31, 2023**

Amini LLC, special litigation counsel for the Debtor, submits its third application for interim allowance of compensation for services rendered from August 1, 2023 through December 31, 2023 (“Compensation Period”) in the amount of \$6,389 and reimbursement of actual, necessary expenses during such period in the amount of \$165.90, pursuant to 11 U.S.C. §§ 330-331, Fed. R. Bankr. P. 2016 and Local Rule 2016-1.

Attached as Exhibit 1 is attorney and paralegal time detail from the Compensation Period and an itemized list of expenses from the Compensation Period for which reimbursement is sought. Attached as Exhibit 2 is the certification required by the Amended Guidelines for Fees and Disbursements for Professionals (“Guidelines”).

JURISDICTION AND VENUE

1. The Court has jurisdiction to consider this application under 28 U.S.C. §§ 157(a) and 1334(b), and General Order M-431 (Amended Standing Order of Reference). This is a core

proceeding under 28 U.S.C. § 157(b)(2). This case is properly venued in this district under 28 U.S.C. § 1408.

BACKGROUND

2. Prepetition Ascribe Associates III, LLC commenced an arbitration against the Debtor to recover \$11.2 million as a clawback obligation. In addition, its affiliate ASCP, LLC had obtained a \$4.7 million judgment against the Debtor in an action to enforce a promissory note.

3. The Debtor commenced this case on July 27, 2022, to permit him to prosecute claims against their affiliates, without interference resulting from the threatened exercise of enforcement remedies.

4. Amini LLC's retention was approved on September 22, 2022 (ECF Doc. #13).

5. Ascribe Associates III, LLC and ASCP, LLC commenced a nondischargeability action (22-ap-1166) against the Debtor, which the Debtor answered.

6. On July 21, 2023, the arbitration tribunal issued its award, ruling against the Debtor on each of his claims and ruling in favor of the claimant.

7. A status conference herein and pretrial conference in the adversary proceeding were held September 12, 2023, after which a scheduling order was entered.

SERVICES

8. Amini's services principally included work to effectuate a global settlement of the Ascribe related disputes and initial work on the nondischargeability adversary proceeding. These services are covered by the litigation project code. Amini is not charging for preparation or filing of this application.

THE REQUESTED COMPENSATION SHOULD BE ALLOWED

9. Bankruptcy Code section 331 makes the standard under section 330 applicable to interim fee applications.

10. Section 330 provides that a court may award a professional employed under section 327 “reasonable compensation for actual services rendered ... and reimbursement for actual, necessary expenses.” It also sets forth criteria for the award of such compensation and reimbursement, including the time expended, the nature and extent of services rendered and the costs of comparable services other than in a case under this title.

11. Amini LLC submits the services for which it seeks interim fee allowance were necessary and beneficial at the time rendered, in that participation in that the services performed were needed to move this case, the adversary proceeding and settlement discussions forward; and also that the amount requested is reasonable given the complexity, importance and nature of the issues involved.

NOTICE

12. Notice of the hearing on this application is being served on the Debtor, all creditors and the Office of the United States Trustee.

WHEREFORE, this interim fee application should be granted.

Dated: New York, New York
February 8, 2024

Amini LLC

/s/ Avery Samet

Avery Samet

Jeffrey Chubak

131 West 35th Street

12th Floor

New York, New York 10001

(212) 490-4700

asamet@aminillc.com

jchubak@aminillc.com

Special Litigation Counsel for the Debtor